

**AMENDMENTS TO THE CLAIMS**

**Listing of Claims:**

The following listing of claims will replace all prior listings of claims in this application.

**Claims 1-60 (canceled).**

**Claim 61 (currently amended):** An image capture apparatus comprising:  
an image capture unit adapted to capture an image using an image pickup element; and  
a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image to a recording medium,  
wherein the image capture apparatus is capable of determining, ~~whether to issue a warning to a user or not~~ using (a) a first exposure value indicating an exposure of an image captured before the switch is operated, (b) a second exposure value indicating an exposure of an image captured after the switch is operated, (c) a first white balance value indicating a white balance of an image captured before the switch is operated, and (d) a second white balance value indicating a white balance of an image captured after the switch is operated, whether to issue a warning to a user or not.

**Claim 62 (currently amended):** An image capture apparatus according to claim 61, wherein the image capture apparatus is capable of determining, ~~whether to start the recording process or not~~ using the first exposure value, the second exposure value, the

first white balance value[[,]] and the second white balance value, whether to start the recording process or not.

**Claim 63 (currently amended):** An image capture apparatus comprising:  
an image capture unit adapted to capture an image using an image pickup element; and  
a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image to a recording medium,  
wherein the image capture apparatus is capable of determining, whether to issue a warning to a user or not using a first white balance value indicating a white balance of an image captured before the switch is operated and a second white balance value indicating a white balance of an image captured after the switch is operated,  
whether to issue a warning to a user or not.

**Claim 64 (currently amended):** An image capture apparatus according to claim 63, wherein the image capture apparatus is capable of determining, whether to start the recording process or not using the first white balance value and the second white balance value, whether to start the recording process or not.

**Claim 65 (currently amended):** A method for an image capture apparatus, the image capture apparatus includes an image capture unit adapted to capture an image using an image pickup element; and a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image to a recording medium, the method comprising:

a step of determining, ~~whether to issue a warning to a user or not~~ using (a) a first exposure value indicating an exposure of an image captured before the switch is operated, (b) a second exposure value indicating an exposure of an image captured after the switch is operated, (c) a first white balance value indicating a white balance of an image captured before the switch is operated, and (d) a second white balance value indicating a white balance of an image captured after the switch is operated, whether to issue a warning to a user or not.

**Claim 66 (currently amended):** A method according to claim 65, further comprising a step of determining, ~~whether to start the recording process or not~~ using the first exposure value, the second exposure value, the first white balance value and the second white balance value, whether to start the recording process or not.

**Claim 67 (currently amended):** A method for an image capture apparatus, the image capture apparatus includes an image capture unit adapted to capture an image using an image pickup element; and a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image to a recording medium, the method comprising:

a step of determining, ~~whether to issue a warning to a user or not~~ using a first white balance value indicating a white balance of an image captured before the switch is operated and a second white balance value indicating a white balance of an image captured after the switch is operated, whether to issue a warning to a user or not.

Appl. No. 09/466,046  
Docket No.: 1232-4605  
Paper dated June 23, 2006  
Reply to Office Action dated March 28, 2006

Express Mail No. EV 622 503 743 US

**Claim 68 (currently amended):** A method according to claim 67, further comprising step of determining, ~~whether to start the recording process or not~~ using the first white balance value and the second white balance value, whether to start the recording process or not.